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Linda S. Jerniga  
Name of Attorney/Agent      Registration No.  
Signature of Attorney or Agent

P&G Case P148 (9457)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of :  
Cox et al. : Confirmation No.  
Serial No. 10/730346 : Group Art Unit  
Filed December 8, 2003 : Examiner

For EDIBLE COMPOSITIONS WHICH ARE ADAPTED FOR USE BY A COMPANION ANIMAL

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made on the attached Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

1. **[X] 37 C.F.R. §1.97(b)(1) - U.S. Direct (use when filing IDS with nonprovisional patent application, or with Request for Continued Examination (RCE); or within 3 months of filing a nonprovisional patent application)**

This information disclosure statement, submitted under 37 C.F.R. §1.97(b)(1), is being filed with the patent application, with a Request for Continued Examination or within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2. ☐ **37 C.F.R. §1.97(b)(3) - (use when filing IDS more than 3 months after filing a nonprovisional patent application, but prior to receipt of first Office Action)**

This information disclosure statement is being submitted under 37 C.F.R. §1.97(b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter (or a fee transmittal form) is enclosed to facilitate charging of the fee, if necessary.

3. ☐ **37 C.F.R. §1.97(b)(4) - (use when filing IDS prior to receipt of first Office Action after the filing of a Request for Continued Examination (RCE) under §1.114)**

This information disclosure statement is being submitted under 37 C.F.R. §1.97(b)(4). Applicants have not received a first Office Action after filing a Request For Continued Examination (RCE). Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter (or a fee transmittal form) is enclosed to facilitate charging of the fee, if necessary.

4. ☐ **37 C.F.R. §1.97(c) with fee payment - (use when filing IDS after receipt of first Office Action, and before receipt of Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution)**

This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). Applicant(s) have not received a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (e.g., *Ex parte Quayle*) as of the date of this submission. Applicant(s) elect to pay the fee set forth in 37 C.F.R. §1.17(p). Please charge the fee set forth in 37 C.F.R. §1.17(p) to Deposit Account Number 16-2480 in the name of The Procter & Gamble Company. A duplicate copy of this letter (or a fee transmittal form) is enclosed to facilitate the charging of the fee.

5. ☐ **Information to be Considered with Continued Prosecution Application (CPA) Filing (use when filing IDS with a Continued Prosecution Application (CPA) for Design Case)**. This information disclosure statement is being filed with a Continued Prosecution Application (CPA) filed under 37 C.F.R. 1.53(d).

**ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:**

☐ (1) **(For use with applications filed prior to or on June 30, 2003.)** Copies of the cited documents are enclosed.

OR

☐ (2) **(For use with applications filed after June 30, 2003.)** In accordance with 37 C.F.R. §1.98(a)(2), Applicants are submitting copies of foreign patent documents and non-patent literature.

OR

☐ (3) All of the cited references were previously cited by or submitted to the USPTO in prior application Case No. \_\_\_\_, U.S. Patent Application Serial No. \_\_, filed \_\_. Applicants claim priority to said application under 35 U.S.C. §120. Accordingly, copies of previously submitted references are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

OR

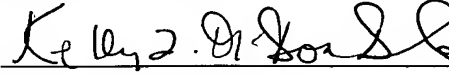
☐ (4) Copies of all said documents, except Cite Numbers \_\_\_\_, were submitted and considered in parent application U.S. Patent Application Serial No. \_\_\_\_, filed \_\_\_\_\_. Applicant(s) claim priority to said application under 35 U.S.C. §120. Accordingly, copies of previously submitted references are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). Copies of references not previously submitted are enclosed. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

☐ (5) Pursuant to 37 C.F.R. §1.98(c), a concise explanation of the relevance of each cited reference that is not in the English language is provided.

☐ (6) Applicants also respectfully request the Examiner to consider and make of record the co-pending applications listed on the attached page.

☒ Additional information. Please note for this case, we are changing the case number to P148 instead of 9457. Please make this change in your records.

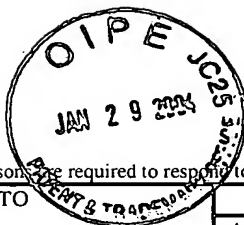
Respectfully submitted,

By 

Kelly L. McDow-Dunham  
Attorney or Agent for Applicant(s)  
Registration No. 43,787

Date: January 26, 2004  
Customer No. 27752

Please type a plus sign (+) inside this box → {+}



PTO/SB08A (08-03)

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

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### COMPLETE IF KNOWN

Application Number	10/730346
Confirmation Number	
Filing Date	December 8, 2003
First Named Inventor	Cox et al.
Group Art Unit	
Examiner Name	
Attorney Docket Number	P148 (9457)

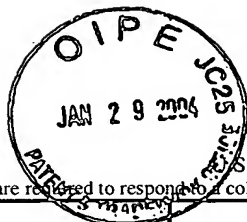
### U. S. PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. <sup>1</sup>	DOCUMENT NUMBER Number - Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	1	US-2001/0002272 A1	05-31-2001	Brunner	
	2	US-2002/0043941 A1	11-22-2001	Huatan et al.	
	3	US-2002/0090444 A1	07-11-2002	Cupp et al.	
	4	US-2002/0119224 A1	08-29-2002	Axelrod et al.	
	5	US-2002/0119241 A1	08-29-2002	Speck et al.	
	6	US-4,104,406	08-01-1978	Stringer et al.	
	7	US-5,000,940	03-19-1991	Staples et al.	
	8	US-5,000,943	03-19-1991	Scaglione et al.	
	9	US-5,000,944	03-19-1991	Prencipe et al.	
	10	US-5,000,973	03-19-1991	Scaglione et al.	
	11	US-5,011,679	04-30-1992	Spaniere et al.	
	12	US-5,047,231	09-10-1992	Spanier et al.	
	13	US-5,015,485	05-14-1991	Scaglione et al.	
	14	US-5,094,870	03-10-1992	Scaglione et al.	
	15	US-5,100,651	03-31-1992	Boyer	
	16	US-5,114,704	05-19-1992	Spanier et al.	
	17	US-5,186,964	02-16-1993	Gierhart et al.	
	18	US-5,296,209	03-22-1994	Simone et al.	
	19	US-5,296,217	03-22-1994	Stookey	
	20	US-5,405,836	04-11-1995	Richar et al.	
	21	US-5,407,661	04-18-1995	Simone et al.	
	22	US-5,431,927	07-11-1995	Hand et al.	
	23	US-5,467,741	11-21-1995	O'Rourke	
	24	US-5,618,518	04-08-1997	Stookey	
	25	US-5,904,923	05-18-1999	Cyer et al.	
	26	US-5,922,379	07-13-1999	Wang	
	27	US-6,056,991	05-02-2000	Axelrod	
	28	US-6,080,419	06-27-2000	Stookey	
	29	US-6,086,940	07-11-2000	Axelrod	
	30	US-6,093,441	07-25-2000	Axelrod	
EXAMINER			DATE CONSIDERED		

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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Substitute for form 1449A/PTO		COMPLETE IF KNOWN	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)	Application Number	10/730,346	
	Confirmation Number		
	Filing Date	December 8, 2003	
	First Named Inventor		
	Group Art Unit		
	Examiner Name		
Attorney Docket Number	P148 (9457)		

SHEET 2 of 2

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	31	US-6,110,521	08-29-2000	Axelrod	
	32	US-6,126,978	10-03-2000	Axelrod	
	33	US-6,159,508	12-12-2000	Wolf et al.	
	34	US-6,159,516	12-12-2000	Axelrod et al.	
	35	US-6,180,161 B1	01-30-2001	Axelrod	
	36	US-6,227,420 B1	05-08-2001	Jepson	
	37	US-6,228,418 B1	05-08-2001	Gluck et al.	
	38	US-6,238,726 B1	05-29-2001	Fischer	
	39	US-6,254,920B1	07-03-2001	Brunner	
	40	US-6,265,011 B1	07-24-2001	Kelly et al.	
	41	US-6,274,182 B1	08-14-2001	Axelrod et al.	
	42	US-6,379,725 B1	04-30-2002	Wang et al.	
	43	US-6,455,083 B1	09-24-2002	Wang	
	44	US-6,517,877 B2	02-11-2003	Gannon	
		US-			

### FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. <sup>1</sup>	FOREIGN PATENT DOCUMENT Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	1	WO 00/30456 A1	06-02-2000	Ralston Purina Company		
	2	WO 00/47049 A1	08-17-2000	Ralston Purina Company		
	3	WO 99/60866 A1	12-02-1999	Advanced Research & Tech. Institute		

### NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIALS*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	1	Kirk et al., "Encyclopedia of Chemical Technology", Vol. 15: 232-276 1965	
	2	Kleinberg et al., "Department of Oral Biology & Pathology, School of Dental Medicine, State University of New York, Stony Brook, New York, USA 11794-8702	
	3	Guggenheim et al., "Validation of an In Vitro Biofilm Model of Supragingival Plaque", 80 (1): 363-370, 2001	
EXAMINER		DATE CONSIDERED	

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